

08-04-04

ITW RCE
1654

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No.: 98,365-B1

Application No.: 09/772,819

Filing Date: January 30, 2001

First Named Inventor: Kathleen E. Rodgers

Group Art Unit: 1654

Examiner Name: Audet

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114. Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17 (i) required)
- b. ☒ Other Copy of Stamped Return Receipt Postcard dated March 8, 2004 (1 sheet);

APPLICATION FEES		
BASIC FEE		\$ 770.00
<input type="checkbox"/> Extension of Time fee	+\$	\$
<input type="checkbox"/> Other	+\$	\$
Total of above calculations =		\$
Reduction by 50% for filing by small entity =		\$ (385.00)
TOTAL =		\$ 385.00

08/05/2004 HALI11 00000095 132490 09772819

01 FC:2801 385.00 DA

RCE REQUEST TRANSMITTAL

Attorney Docket No. 98,365-B1

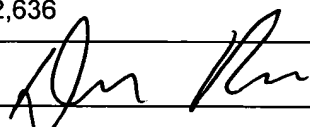
3. ☒ Please charge my Deposit Account No. 13-2490 in the amount of \$385.00.
4. ☐ A check in the amount of \$ is enclosed.
5. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:
- a. ☒ Fees required under 37 CFR 1.16.
 - b. ☒ Fees required under 37 CFR 1.17.
 - c. ☒ Fees required under 37 CFR 1.18.
6. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

7. CERTIFICATE OF MAILING OR TRANSMISSION

☐ I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office at 703-872-9306, or being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date indicated below.

☒ I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below. Express Mail No. EV333557894US.

8. USPTO CUSTOMER NUMBER**20306****McDonnell Boehnen Hulbert & Berghoff LLP****9. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name	David S. Harper
Reg. No.	42,636
Signature	
Date	August 3, 2004

RCE (Rev. 11/27/00)



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,365-B1)

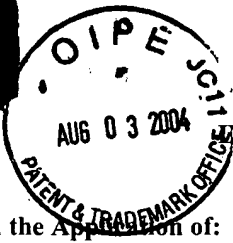
In re Application of:)	
)	
Rodgers et al.)	
)	Examiner: Audet
Serial No.: 09/772,819)	
)	Group Art Unit: 1654
Filed: January 30, 2001)	
)	Confirmation: 3008
For: Method for Accelerating Bone,)	
Cartilage, and Connective Tissue Growth)	

RESPONSE TO THE OFFICE ACTION OF MAY 4, 2004

Commissioner for Patents
Box **RCE**
P.O. Box 1450
Arlington, VA 22313-1450

Dear Sir:

Please note the accompanying amendments and remarks to the office action of
May 4, 2004.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,365-B1)

In the Application of:

Kathleen E. Rodgers, et al.

Serial No.: 09/772,819

Filed: January 30, 2001

For: **METHODS FOR ACCELERATING
BONE, CARTILAGE AND
CONNECTIVE TISSUE GROWTH**

Art Unit: 1654

Examiner: Audet

Confirmation: 3008

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above identified patent application:

- ☒ Request for Continued Examination (RCE) (2 sheets);
- ☒ Response to Office Action mailed May 4, 2004 (15 sheets);
- ☒ Copy of Stamped Return Receipt Postcard mailed March 8, 2004 (1 sheet);
- ☒ Return receipt postcard

2. With respect to fees:

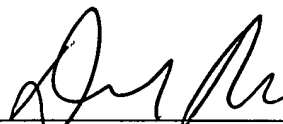
☒ The commissioner is hereby authorized to charge our **Deposit Account No. 13-2490** in the amount of **\$385.00** for the small entity RCE Fee.

3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described hereinabove, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3rd day of August, 2004.

Express Mail No. EV333557894US.

By:


David S. Harper
Reg. No. 42,636